

Remarks

Reconsideration and allowance of the above identified application is respectfully requested.

In the Office Action dated 12/8/2005 the Examiner rejected all of the pending claims 1-15. The Office Action and the references cited therein have been carefully considered and the above amendment is presented in an effort to advance prosecution of the application.

The Examiner rejected claims 1-7 and 12 under 35 USC 102 as anticipated by DE 3231953 (Leposa) and claims 8-11 under 35 USC 103 as being unpatentable over DE 3231953

Applicant has amended claim 1 and 12 to more particularly claim that "the drive shaft (48) is driven on the first end of the crop lifter auger."

The Examiner alleges that the drive of DE 3231953 "is capable of being arranged at either ends of the auger." However, the drive of DE 3231953 is in fact only disclosed at the second end of the auger.

Thus, all the elements in Claim 1 and 12, for example, are not taught or suggested in the cited references, either singly or in combination.

Claim 8 has also been amended to clarify the vertical pivot axis.

It is therefore believed that the rejection of all the claims should be withdrawn and that this application is in condition for allowance. Such allowance is respectfully requested.

Any fees or charges due as a result of filing of the present communication may be charged against Deposit Account 04-0525.

Respectfully,


Attorney for Applicant(s)

A. Nicholas Trausch
Reg. No. 30,430
Patent Department
Deere & Company
One John Deere Place
Moline, IL 61265
Telephone No. (309) 765-5543